



Town Hall 551 Hot Springs Blvd
Pagosa Springs, CO 81147

MINUTES

Town Council Meeting
August 19, 2025 @ 5:00 PM

A regular meeting of the Pagosa Town Council was called to order on August 19, 2025, at 5:00 PM in the Town Hall 551 Hot Springs Blvd.

COUNCIL PRESENT: Mayor Pierce, Council Member deGraaf, Council Member DeGuise, Council Member Lindner, Council Member Martinez, and Council Member Williams

COUNCIL ABSENT: Council Member Bergon

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. DISCLOSURES AND/OR CONFLICT OF INTEREST – None

V. PUBLIC COMMENT – Mr. Eddie Archuleta wants to know what's going on with the speed bumps. Mayor Pierce said they are in process of being engineered. Mr. Archuleta also wanted to know about the jake brake issue. Mayor Pierce said those are CDOT's signs and it would cost the town approximately \$5,000 to \$6,000 to get them moved but there are also regulations on how far apart the signs can be.

VI. CONSENT AGENDA

- 1. Approval of the August 5, 2025 Meeting Minutes**
- 2. July Financial Statement and Payments**
- 3. Resolution 2025-14, Appointing Roxanne Rickert to Combined Parks and Recreation Advisory Board**
- 4. Addendum to IGA for School Resource Officer with Archuleta School District #50 JT**
- 5. Awarding a contract to Southwest Engineering for Design, Engineering, and Construction of Phase One of the East Gateway River Park**

Council Member deGraaf moved to approve the consent agenda, Council Member DeGuise seconded.

Carried.

VII. PRESENTATIONS

1. The Potential Expansion of Reservoir Hill Park

Parks & Recreation Director Darrin Lewis and Recreation Supervisor Amanda Gadomski presented an opportunity to purchase 490 acres on Reservoir Hill. Key opportunities would be more enhanced recreation and protection of the land from development. State and Federal grants are available as well as private funders and private foundations for purchasing. The amount of funding secured will directly determine how many acres can be purchased. Council Member Brooks Lindner thinks this is a once-in-a-lifetime opportunity, and he is very excited about how it will benefit all the generations to come. Council Member Gary Williams would like to thank the staff for the work they have put into this presentation.

He wants to see the hill maintain its integrity and character. Mayor Pierce wanted to know if there was a minimum amount of acres we have to purchase in order to seek funding. Mr. Lewis said there are a lot of options out there and staff is currently looking at a grant that fits around 300 acres.

VIII. REPORTS TO COUNCIL

1. Sales Tax Brief

a. Sales Tax Report - June 2025

Sales tax is up 4.7% for June. Marijuana sales tax is down around 16%. Council Member Lindner wants to know what causes the increase in Manufacturing. Town Manager Harris will look into it and let him know. Council Member Lindner is curious to know how the highway project is affecting the downtown businesses and how we might be able to get a more detailed report for these numbers. Council Member Martinez also agrees on the idea, and he would also like to know more.

IX. UNFINISHED BUSINESS

1. Ordinance 1014, Second Reading, Calling the Coordinated Election and Setting the Ballot Language

The sewer system is failing and needs funding for repairs, wastewater treatment plant, and possible reuse system. A sales tax is the most efficient way to obtain the funding needed. Ordinance 1014 addresses a 1% sales tax and other provisions recommended by the Town Attorney.

Council Member Martinez moved to approve an Ordinance 1014, Second Reading, Calling the Coordinated Election and Setting the Ballot Language.

Council Member DeGuise seconded.

Carried.

X. NEW BUSINESS

1. Request to Waive Park Fees

June Marquez has requested a waiver of fees for her event, scheduled to take place at Yamaguchi Park from September 22nd to 25th. The total cost for the four-day event would be \$1,465. Two other community events will be happening before and after her event and she would like to use the tent that will be up for the other events. Ms. Marquez is willing to pay \$100.00 per day for rental and is requesting \$1000.00 off the total rental. Council Member Lindner asked if the organization is a non-profit. Ms. Marquez is not a non-profit. Council Member deGraaf supports the event but wants to be very careful about waiving rental fees for park use. Council Member DeGusie agrees with deGraaf. Council Member Martinez wanted to know attendance numbers from previous years and if most people attending were locals. Mayor Pierce agrees with Council Member deGraaf because of the fee schedule, stress on fields with how dry this year has been, staff time. Council Member Williams sees this as a unique situation because the tent will already be in place and it should be considered. Council Member Martinez suggested reducing the days of the event to fit into Ms. Marquez's budget so she could take advantage of the tent opportunity.

Council Member deGraaf moved not to approve the request to waive the \$1465 park rental fee for the event,

Council Member DeGuise seconded.

Carried with one nay (Council Member Martinez)

2. Ordinance 1015, First Reading, Authorizing the Declaration of Fire Restrictions and Amending Chapter 21, Section 6.13.6 of the Pagosa Springs Municipal Code

Once adopted, this item will make the declaration of fire restrictions an administrative task, authorizing the Town Manager to declare and rescind various levels of Fire Restrictions within Town Limits. This

action will be done in consultation with the Sheriff's Office, Fire District Chief, and Police Chief.

Council Member deGraaf moved to approve Ordinance 1015, First Reading, Authorizing the Declaration of Fire Restrictions and Amending Chapter 21, Section 6.13.6 of the Pagosa Springs Municipal Code. Council Member Lindner seconded.

Carried.

3. Ordinance 1016, An Emergency Ordinance of the Town of Pagosa Springs Continuing the Mayor and Town Manager Order No. 2025-1 Imposing Stage I Fire Restrictions

If approved, this item will continue Emergency Order 2025-1, imposing Stage 1 Fire Restrictions by the Mayor and Town Manager as of August 11, 2025. Staff is recommending continuance of this Order until the Mayor and Town Manager choose to rescind or modify the order.

Council Member DeGuisse moved to approve Ordinance 1016, An Emergency Ordinance of the Town of Pagosa Springs Continuing the Mayor and Town Manager Order No. 2025-1 Imposing Stage I Fire Restrictions. Council Member Martinez seconded.

Carried.

XI. PUBLIC COMMENT – Mr. Eddie Archuleta signed up but left the meeting before comment opened

XII. MAYOR, COUNCIL, TOWN MANAGER COMMENTS/UPCOMING AGENDA ITEMS – Mayor Pierce wants to thank staff and Council members who have all helped with the sales tax issue. Town Manager Harris said the HWY 160 project is on working day 102, 31% of the project is complete, and the goal is to be at 50% by winter shutdown. There is a big push to finish the work in front of the middle school before this school year starts. Public Works Director Karl Johnson said Roaring Forks will be sending out the plan review for the McCabe Creek crossing, Florida St. to the 7th Street Alley and then down to behind old Sonoco so the Town can review it by the end of this week. Depending on questions and comments from the review, he is planning on going out to bid the Wednesday after Labor Day. The bid will stay out for 2 weeks and they set up site visits with contactors that want to review and walk the sites. Mr. Johnson said Utility Supervisor, Lucian Brewster has a spreadsheet showing the order of urgency on the category fours and the category fives. He plans on getting everything out to bid once all the plans are approved even if it is in the winter so the Town can get on schedules for next spring. Mayor Pierce announced the August 25th joint Town and County meeting has been cancelled.

XIII. EXECUTIVE SESSION

- 1. Executive Session pursuant to section 24-6-402(4)(b), C.R.S. to confer with the Town's water attorney for the purposes of receiving legal advice on specific legal questions and pursuant to section 24-6-402(4)(e), C.R.S. to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, concerning the adjudication of the geothermal well permit issued to McMullen Properties Inc. and the water rights applications filed in Case Nos. 25CW3019 and 25CW3020.**

Council Member deGraaf moved to enter executive session pursuant to section 24-6-402(4)(b), C.R.S. to confer with the Town's water attorney for the purposes of receiving legal advice on specific legal questions and pursuant to section 24-6-402(4)(e), C.R.S. to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, concerning the adjudication of the geothermal well permit issued to McMullen Properties Inc. and the water rights applications filed in Case Nos. 25CW3019 and 25CW3020. Council Member Martinez seconded.

Carried.

Town Council entered executive session at 5:54 pm. Mayor Pierce called the meeting back in regular

session at 6:45 pm.

XIV. RECONVENE INTO REGULAR SESSION

- 1. Approve appropriate actions related to the geothermal well permit issued to McMullen Properties Inc. and the water rights applications filed in Case Nos. 25CW3019 and 25CW3020.**

Council Member deGraaf moved to authorize Town Staff and Town Attorney to engage with the McMullen property regarding the concerns the Town has about the discharge of the geothermal water and the potential impacts to the Town infrastructure. Council Member DeGuise seconded.

Carried.

Council Member deGraaf moved, that per conversations with staff and our water rights attorney and the information they provided, I would like to authorize Jeff Kane to submit a statement of oppositions to the Springs Water Rights applications case number 25CW3019 and 25CW3020. Council Member Williams seconded.

Carried.

XV. UPCOMING COUNCIL MEETINGS –

- September 2, 2025: Regular Council Meeting
- September 16, 2025: Regular Council Meeting
- September 22, 2025: Joint Town-County Work Session
- October 7, 2025: Regular Council Meeting
- October 21, 2025: Regular Council Meeting
- October 27, 2025: Joint Town-County Work Session

XVI. ADJOURNMENT – Mayor Pierce adjourned meeting at 6:49 pm

**Shari Pierce
Mayor**